

Introduced by Senator Pavley

February 27, 2009

An act to amend Section 30916 of the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 790, as introduced, Pavley. Coastal resources: project grants.

The Watershed, Clean Beaches, and Water Quality Act, authorizes the Water Resources Control Board, in consultation with the State Coastal Conservancy, to award grants to public agencies and nonprofit organizations for projects designed to restore and protect the water quality and environment of coastal waters, estuaries, bays, and near shore waters, including, among other things, a project to make improvements to, or upgrades or conversions of, existing sewer collection systems and septic systems for the restoration and protection of coastal water quality.

This bill would also authorize grants for projects designed to implement or promote low impact development that will contribute to the improvement of water quality or reduce stormwater runoff.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 30916 of the Public Resources Code is
- 2 amended to read:
- 3 30916. (a) Upon appropriation by the Legislature, funds
- 4 provided under this chapter may be used by the board, in
- 5 consultation with the State Coastal Conservancy, to award grants

1 not to exceed five million dollars (\$5,000,000) per project to public
2 agencies and nonprofit organizations for the purposes of this
3 chapter. Grants may be awarded for any of the following projects:

4 (1) A project designed to improve water quality at public
5 beaches and to make improvements for the purpose of ensuring
6 that coastal waters adjacent to public beaches meet the
7 bacteriological standards set forth in Article 2 (commencing with
8 Section 115875) of Chapter 5 of Part 10 of Division 104 of the
9 Health and Safety Code.

10 (2) A project to make improvements to, or upgrades or
11 conversions of, existing sewer collection systems and septic
12 systems for the restoration and protection of coastal water quality.

13 (3) A project designed to implement stormwater and runoff
14 pollution reduction and prevention programs, or for the
15 implementation of best management practices, for the restoration
16 and protection of coastal water quality.

17 (4) *A project designed to implement or promote low impact*
18 *development that will contribute to the improvement of water*
19 *quality or reduce stormwater runoff.*

20 (b) The projects funded pursuant to this chapter shall be
21 consistent with the state's nonpoint source control program, as
22 revised to meet the requirements of Division 20 (commencing with
23 Section 30000), Section 6217 of the federal Coastal Zone Act
24 Reauthorization Amendments of 1990, Section 319 of the federal
25 Clean Water Act (33 U.S.C. Sec. 1329), Division 7 (commencing
26 with Section 13000) of the Water Code, and the California Coastal
27 Commission.

28 (c) The projects funded pursuant to this chapter shall
29 demonstrate the capability of contributing to sustained, long-term
30 water quality or environmental restoration or protection benefits
31 for a period of 20 years, address the causes of degradation, rather
32 than the symptoms, and be consistent with water quality and
33 resource protection plans prepared, implemented, or adopted by
34 the board, the applicable regional water quality control board, and
35 the State Coastal Conservancy.

36 (d) An applicant for funds under this chapter shall be required
37 to submit to the board a monitoring and reporting plan that does
38 all of the following:

39 (1) Identifies the nonpoint source or sources of pollution to be
40 prevented or reduced by the project.

1 (2) Describes the baseline water quality or environmental quality
2 to be addressed.

3 (3) Describes the manner in which the project will be effective
4 in preventing or reducing pollution and in demonstrating the
5 desired environmental results.

6 (4) Describes the monitoring program, including, but not limited
7 to, the methodology, and the frequency and duration of monitoring.

8 (e) Upon completion of the project, a recipient of funds under
9 this chapter shall submit a report to the board that summarizes the
10 completed activities and indicates whether the purposes of the
11 project have been met. The report shall include information
12 collected by the recipient in accordance with the project monitoring
13 and reporting plan, including a determination of the effectiveness
14 of the project in preventing or reducing pollution, and the results
15 of the monitoring program. The board shall make the report
16 available to the public, watershed groups, and federal, state, and
17 local agencies.

18 (f) Not more than 25 percent of a grant may be awarded in
19 advance of actual expenditure.

20 (g) An applicant for funds under this chapter shall inform the
21 board of any necessary public agency approvals, entitlements, and
22 permits that may be necessary to implement the project. The
23 application shall certify to the board, at the appropriate time, that
24 those approvals, entitlements, and permits have been granted.

25 (h) Where recovery plans for coho salmon, steelhead trout, or
26 other threatened or endangered aquatic species exist, projects
27 funded under this chapter shall be consistent with those plans and,
28 to the extent feasible, shall seek to implement actions specified in
29 those plans.

30 (i) The board shall appoint a Clean Beaches Task Force
31 comprised of individuals representing the breadth and diversity of
32 coastal communities. All proposals for funding shall be reviewed
33 by the task force. The task force may recommend projects to the
34 board for funding consideration.